

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

NGX COMPANY,

Plaintiff,

v.

No. CV 07-268 BB/WDS

**G. B. PETROLEUM SERVICES, LLC,
GREAT BASIN PETROLEUM SERVICES, L.P.,
and OXY USA INC.**

Defendants.

OXY USA INC.,

Third Party Plaintiff,

v.

No. CV -07-268 BB/WDS

**GEORGE SCOTT III, and
SCOTT INVESTMENT CORPORATION,
a New Mexico Corporation,**

Third Party Defendants.

JOINT PROGRESS REPORT

COME NOW Plaintiff and Defendants by and through their respective attorneys of record and for their Joint Progress Report state as follows:

1. On October 4, 2007 this Court entered its Agreed Order Regarding Scheduling requiring the parties to submit a Joint Progress Report by December 3, 2007.

2. The parties jointly have engaged Arcadis to conduct testing on the allegedly polluted site to determine the nature and extent of any pollution and to assist the parties in determining with the Oil Conservation Division what, if any, clean-up activities need to occur on the subject site.


3. Arcadis has drafted and obtained approval from the New Mexico Oil Conservation Division for a testing plan for the site.

4. Testing on the site is scheduled to occur December 4 and 5, 2007 and Arcadis will report to the parties and the Oil Conservation Division within 60 days after the conclusion of that testing.

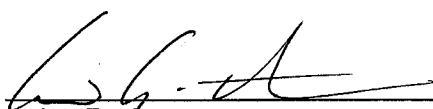
5. The parties are available to provide any additional reporting that the Court may require.

Respectfully submitted,

RODEY, DICKASON, SLOAN, AKIN & ROBB, PA

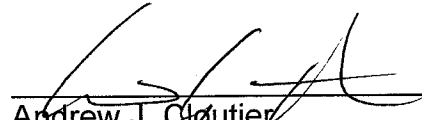
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